

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 07 2019

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUN 10 2019

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested: **Application 63-34652 in the name of Cat Creek Energy, LLC**
2. Name of protestant: **Boise Project Board of Control**
3. Protestant's Representative for service (if different than protestant)

Albert P. Barker
Barker Rosholt & Simpson LLP

4. Service mailing address: **1010 W. Jefferson St., Ste. 102, P.O. Box 2139, Boise, ID 83701-2139**
5. Service telephone no. **208-336-0700** Email address: **apb@idahowaters.com**
6. Basis of protest (including statement of facts and law upon which the protest is based).
Protestant delivers water on behalf of the five Boise Project Irrigation Districts in the Bureau of Reclamation Boise Project. These Districts contract with Reclamation for the majority of the storage water in Anderson Ranch Reservoir from which applicant seeks to divert the water for this application. The Boise Project is concerned that diversion of the water could interfere with its' contract storage and delivery of water to the Districts' Patrons. The Boise Project is also concerned that the application may conflict with portions of I.C. § 42-203A(5).
7. What would resolve your protest?
Assurances by the Applicant and IDWR the application will not conflict with the ability to store and deliver the Districts' Anderson Ranch water to their Patrons including water stored by the proposed Anderson Ranch raise, and water to be stored for "refill" after paper fill.

I hereby acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against

Receipt No: C106964 \$2500
Received by: S.O. 6/7/2019

NOTICE OF PROTEST

me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 7th day of June, 2019.

BOISE PROJECT BOARD OF CONTROL

Protestant

By: 

Protestant's Representative

FOR DEPARTMENT USE ONLY

Received by NR Date 6-7-19 Time _____

\$25.00 fee Received by NR # C106964 Date 6-7-19